

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – allegation on misappropriation of Gram Panchayat funds, Koduru (V), Garividi (M), Vizianagaram District - Departmental action against Sri B.V.Appa Rao, Panchayat Secretary (Retired), Koduru Village, Garividi (M), Vizianagaram District under Rule 20 of the Andhra Pradesh Civil Services (Clarification, Control and Appeal) Rules, read with rule 9 of A.P.Revised Pension Rules, 1980 – Article of Charges –Issued.

PANCHYAT RAJ AND RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.RT.No. 276

Dated:19.03.2015.

Read the following:

- 1.From the DG., ACB., Hyd. Rc.No.24/RE-VVZ/2013-s.12, dt. 02.04.2014.
- 2.Govt.Memo No.16192/Vig.III/A1/2014-1, dt.12.12.2014.
- 3.From District Collector (P.W), Rc.No.120/2015/A, dt.09.03.2015
- 4.G.O.Ms.No.25, PR&RD (Vig.III) Dept., dated.19.03.2015.

ORDER:

In pursuance of the sanction accorded by the Government under Sub-Clause (i) of clause (b) of sub-rule (2) of Rule 9 of the A.P. Revised Pension Rules, 1980, for instituting departmental proceedings against Sri B.V.Appa Rao, Panchayat Secretary (Retired), Kondapalem, Garividi Mandal (Regular) and the then panchayat secretary Koduru Gram Panchayat (Fac) of Garividi (M), Vizianagaram District vide G.O.4th read above, it is proposed to hold an inquiry against the said Sri B.V.Appa Rao, Panchayat Secretary (Retired), Koduru Village, Garividi (M), Vizianagaram District, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CC&A) Rules, 1991. The enquiry shall be conducted by the Government.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A list of documents by which, a list of witnesses by whom, and a list of documents by which, the articles of charges are proposed to be sustained are also enclosed (Annexure II & III). copies of documents are furnished herewith.

3. Sri B.V.Appa Rao, Panchayat Secretary, Kondapalem, Garividi Mandal (Regular) and the then panchayat secretary Koduru Gram Panchayat (Fac) of Garividi (M), Vizianagaram District, now retired is directed to submit his written statement of defense within (10) days from the date of receipt of this order.

4. Sri B.V.Appa Rao, Panchayat Secretary (Retired), Kondapalem, Garividi Mandal (Regular) and the then panchayat secretary Koduru Gram Panchayat (Fac) of Garividi (M), Vizianagaram District now retired from service is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. She should, therefore, specifically admit or deny each article of charge.

5. Sri B.V.Appa Rao, Panchayat Secretary (Retired), Kondapalem, Garividi Mandal (Regular) and the then panchayat secretary Koduru Gram Panchayat (Fac) of Garividi (M), Vizianagaram District, is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, and further action will be processed based on the material available with Government.

(P.T.O)

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6. The receipt of this orders shall be acknowledge along with Annexure-I, II, III forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S.JAWAHAR REDDY,
SECRETARY TO GOVERNMENT (PR)

To

Sri B.V.Appa Rao, Panchayat Secretary (Retired), Kondapalem, Garividi Mandal (Regular) and the then panchayat secretary Koduru Gram Panchayat (Fac) of Garividi (M), Vizianagaram District **through** the Commissioner, Panchayat Raj & Rural Employment, A.P., Hyderabad

The Commissioner, Panchayat Raj & Rural Employment, Hyderabad
(2 Copies) (With a request to serve Original Notice on the charged Officer with dated signature and send the same for record).

Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

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Annexure-I

STATEMENT OF ARTICLE OF CHARGE BE FRAMED AGAINST SRI B.V.APPA RAO, PANCHAYAT SECRETARY (RETIRED), KONDAPALEM GARIVIDI MANDAL (REGULAR) AND THE THEN PANCHAYAT SECRETARY KODURU GRAM PANCHAYAT (FAC) VILLAGE, GARIVIDI (M), VIZIANAGARAM DISTRICT,

ARTICLE-I:

Enquiry disclosed that during the year 2002-03 an amount of Rs.520/- was drawn towards purchase of news papers, Rs.1,99/- during the year 2004-05 and Rs.2,500/- during the year 2005-06 and Rs.10,000/- during the years 2006-2010. During the course of enquiry, the Panchayat Office was physically verified and found that the news papers purchased from 2002-03 were bundled and stocked in the Panchayat Office without selling the old news papers. The old news papers have to be sold and the amount received though the sales has to be credited to the Panchayat funds. In this case, the old newspapers were not sold and kept in the Panchayat Office. Thus the negligent act of Panchayat Secretary is proved of the failure to disposal of the old news papers and credit the sale proceeds to the Panchayat account.

ARTICLE-II:

The documentary evidence collected during the course of Enquiry disclosed that the differential amount of Rs.12,582/- towards the quality found by the dy.EE in Rc.No.NIL/AE/V & QC Sub-Division, Vizianagaram was recovered and paid to the Panchayat account vide Challan No.4670, dt.30.11.2011. As the works executed in the interest of public and no misappropriation of took place, no further action is needed in this regard. Action-Plan changed at will against the Rules.

On perusal of the above, the works are executed and payments are made, Gram Panchayat have approved expenditure. Action plans are not produced by the then Panchayat Secretary and he is responsible for not maintaining of Action Plans as he is the executive authority failed to maintain the action plans.

ARTICLE-III:

As per G.O.Ms.No.69, PR&RD Department dt.29.02.200 the executive authority of the Gram Panchayat has to prepare the Budget Estimates showing the probable income and expenditure of the Gram Panchayat during the following years. The estimations for the years 2001-02 to 2010-11. But, the Panchayat Secretary failed to do so. Further, the draft budget is to be placed in the Gram Panchayat for onward transmission to the DLPO for approval.

This is an irregularity committed by the Panchayat Secretary who did not prepare and placed the budget estimates before the Panchayat.

Basis of the Charges

- 1.Report of the Director General, ACB, A.P., Hyderabad in Rc.No.24/RE-VVZ/2013/S.12, dt.02.04.2014.
- 2.Govt.Memo No.16192/Vig.III/A1/2014-2, dt.27.02.2015.

Dr.K.S.JAWAHAR REDDY,
SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

Contd-Annexure-II&III

ANNEXURE-II

LIST OF DOCUMENTS BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI B.V.APPA RAO, PANCHAYAT SECRETARY (RETIRED), KONDAPALEM GARIVIDI MANDAL (REGULAR) AND THE THEN PANCHAYAT SECRETARY KODURU GRAM PANCHAYAT (FAC) VILLAGE, GARIVIDI (M), VIZIANAGARAM DISTRICT ARE TO BE SUSTAINED

- 1.Complaint No.821/2007/B2 filed by Sri Meesala Raji Naidu R/o Vizianagaram District.
2. Registrar, Institution of Lokayuktha, A.P., Hyderabad orders dt.15.03.2013
- 3.From the DG., ACB., Hyd. Rc.No.24/RE-VVZ/2013-s.12, dt.02.04.2014.
- 4.Govt.Memo No.16192/Vig.III/A1/2014-1, dt.12.12.2014.

Dr.K.S.JAWAHAR REDDY,
SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI B.V.APPA RAO, PANCHAYAT SECRETARY (RETIRED KONDAPALEM GARIVIDI MANDAL (REGULAR) AND THE THEN PANCHAYAT SECRETARY KODURU GRAM PANCHAYAT (FAC) VILLAGE, GARIVIDI (M), VIZIANAGARAM DISTRICT ARE TO BE SUSTAINED

1. Sri Meesala Raji Naidu R/o Vizianagaram.
2. The Present District Collector (P.W), Vizianagarm

Dr.K.S.JAWAHAR REDDY,
SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER